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Attorneys for Defendant  
LEXINGTON INSURANCE COMPANY

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

DRY CREEK RANCHERIA BAND OF  
POMO INDIANS; RIVER ROCK  
ENTERTAINMENT AUTHORITY; AND  
RIVER ROCK CASINO,

Plaintiffs,

v.

LEXINGTON INSURANCE COMPANY,  
and DOES 1 through 25, inclusive,

Defendants.

Case No. 3:12-cv-04371-CRB (DMR)

**DEFENDANT'S REQUEST FOR TELEPHONIC  
APPEARANCE AT JANUARY 9, 2014 HEARING  
FOR JOINT DISCOVERY LETTER; ORDER (AS  
MODIFIED)**

Date: January 9, 2014  
Time: 11:00 a.m.  
Courtroom: 4  
Judge: Hon. Donna M. Ryu

1 Defendant LEXINGTON INSURANCE COMPANY respectfully requests that one of its attorneys  
2 be permitted to attend the January 9, 2014 hearing by telephone (Docket No. 37). Defendant will have its  
3 local counsel appear in person, but is requesting that its New York counsel be permitted to attend by  
4 telephone.

5  
6 Plaintiffs' counsel has stipulated to New York counsel's appearance by telephone.

7 Good cause exists for the appearance by telephone because defendant will have its local counsel  
8 appear in person, defendant's New York counsel can effectively assist in the hearing while appearing by  
9 telephone, the time and expense of traveling from New York to California will not have to be incurred  
10 by defendant or its New York counsel, and personal attendance by the New York counsel is not needed  
11 in order to have an effective hearing.

12  
13 If the Court approves defendant's request, we will arrange for the appearance to be made via  
14 CourtCall, pursuant to Judge Ryu's standing order.

15  
16 Dated: December 10, 2013

17 By: /s/ Joseph M. Rimac  
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**ORDER (AS MODIFIED)**

Defendant's New York counsel can appear telephonically at the January 9, 2014 hearing in Courtroom 4. Defendant's New York counsel must follow the protocol set forth in the attached Notice re Telephonic Appearance Procedures for Magistrate Judge Donna M. Ryu.

**IT IS SO ORDERED.**

Dated: December 11, 2013



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HON. DONNA M. RYU  
UNITED STATES MAGISTRATE JUDGE

**CERTIFICATE OF SERVICE**

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action. My business address is 1051 Divisadero Street, San Francisco, California 94115.

On December 12, 2013, the following document is being filed electronically and will be available for viewing and downloading from the Court's CM/ECF system:

***DEFENDANT'S REQUEST FOR TELEPHONIC APPEARANCE AT JANUARY 9, 2014  
HEARING FOR JOINT DISCOVERY LETTER; [PROPOSED] ORDER***

The Notice of Electronic Case Filing Automatically generated by the system and sent to all parties entitled to service under the Federal Rules of Civil Procedure and the Local Rules of the United States District Court, Northern District of California, who have consented to electronic service shall constitute service of the filed document to all such parties.

Executed on December 12, 2013 at San Francisco, California.

I declare under penalty of perjury that I am employed in the office of a member of the bar of this Court at whose direction the service was made and that the foregoing is true and correct.

\_\_\_\_\_  
Robin Hale  
(Type or print name)

\_\_\_\_\_  
/s/ Robin Hale  
(Signature)